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EXAMINER	
NALEVANKO, CHRISTOPHER R	
ART UNIT	**PAPER NUMBER**
2611	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/824,940	THOMAS ET AL.	
	Examiner	Art Unit	
	Christopher R. Nalevanko	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-78* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *22 Jul 2002*, 12 Apr. 2002, 16 Aug 2001,
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-10, 22, 25, 29, 32-36, 39-49, 61, 64, 68, 71-75, and 78, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (6,368,216) in further view of Stronach (6,722,980).

Regarding Claim 1, Hedrick shows a method for using two displays (col. 3 lines 10-25, primary and secondary display) and an interactive wagering application to present a user with video content and interactive wagering opportunities (col. 6 lines 7-25, various games including video poker and multiple pay lines, bill and coin acceptor), comprising displaying the video content for the user on a first of the displays (col. 15 lines 23-50, col. 16 lines 1-18, displaying video programming such as horse racing while the player is betting on the machine), and simultaneously displaying the interactive wagering opportunities for the user on a second of the two displays (col. 6 lines 7-20, showing control functions of game on display), wherein the video content and the interactive wagering opportunities are synchronized (col. 15 lines 24-30, content displayed is carefully controlled, col. 11 lines 60-67, col. 12 lines 1-67, processor controls both displays and triggering events trigger display). Although Hedrick shows the ability to display horse races and bet at the same time, he fails to specifically state that

the user can place bets on the races. Stronach shows a variety of wagering opportunities presented to the user based on racing (col. 2 lines 55-65, col. 4 lines 5-25, wagering terminal for communicating racing and wagering information). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick with the ability to bet on the race being displayed, as shown in Stronach, so that the user would have more interactive wagering options and could place bets on races when not using other gaming functions.

Regarding Claim 2, Stronach shows a closed connection, or direct connection between the betting system and display (col. 2 lines 55-65).

Regarding Claim 3, Stronach shows that the connection can be an open connection between the wagering terminal and display (col. 2 lines 55-65, open connection, such as Internet).

Regarding Claim 4, Stronach shows that the races are horse races (col. 1 lines 15-25, horse races).

Regarding Claim 5, Stronach shows the ability to select a racetrack for the wager (col. 8 lines 20-35, selector configured to accept next or previous race track).

Regarding Claim 6, Stonach shows the ability to select a race for wagering (col. 8 lines 1-22, race event selector).

Regarding Claim 7, Stonach shows the ability to specify the wager type for the wager (col. 4 lines 5-25, wager type, lines 55-67, quick pick, fig. 10, exact orders and betting options).

Regarding Claim 8, Stonach shows the ability to select the wager amount (col. 12 lines 29-40, interface with series of wager amounts).

Regarding Claim 9, Stonach shows the ability to pick the runner or runners for the wager (col. 4 lines 60-67, col. 5 lines 1-27, race contestant selection).

Regarding Claim 10, Hedrick shows a method of displaying content of a race as the video content on the first display (col. 15 lines 23-50, col. 16 lines 1-18, displaying video programming such as horse racing while the player is betting on the machine) and simultaneously displaying content that provides users with the ability to wager on a second display (col. 6 lines 7-20, showing control functions of game on display). Although Hedrick shows the ability to display horse races and bet at the same time, he fails to specifically state that the user can place bets on the races. Stronach shows a variety of wagering opportunities presented to the user based on racing (col. 2 lines 55-65, col. 4 lines 5-25, wagering terminal for communicating racing and wagering information). Stronach further shows the ability to bet on a particular race (col. 8 lines 1-22, race event selector). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick with the ability to bet on the race being displayed, as shown in Stronach, so that the user would have more interactive wagering options and could place bets on races when not using other gaming functions.

Regarding Claim 22, Hedrick shows that the displays are part of the same device (col. 5 lines 45-67, main and secondary display in same unit).

Regarding Claim 25, Stronach shows the ability to show wagering options on the display of a remote handheld device (col. 13 lines 66-67, col. 14 lines 1-18, wagering

options on the display of a handheld device, col. 16 lines 18-27, using remote handheld screen to view wagering).

Regarding Claim 29, Hedrick shows that the first display is a television and contains a processor (fig. 5 and 6, col. 8 lines 25-67, CPU controlling display, col. 11 lines 1-15, system controller integrates functions of conventional PC, col. 13 lines 30-65, accepting conventional television signals through tuner). Hedrick further shows that the second display may be a computer connected to the television (fig. 5 and 6, col. 8 lines 25-67, CPU controlling first and second displays, col. 11 lines 1-15, system controller integrates functions of conventional PC, col. 13 lines 30-65, accepting conventional television signals through tuner).

Regarding Claim 32, Stronach shows processing wagers with equipment remote from the displays when the user makes a wager (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal).

Regarding Claim 33, Stronach shows processing wagers once they have been received (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal). Hedrick shows that a variety of different types of races may be shown (col. 16 lines 1-18, dog or horse racing). The limitation of "runners" does not make the claim patentably distinct from Hedrick. Furthermore, it is recognized that both Hedrick and Stronach contemplate wagering on different types of events and the list provided are not exhaustive or exclusive.

Regarding Claim 34, the limitation with regards to "runners" has been addressed in Claim 33. Stronach further shows using a transaction processing and subscription

system to manage a user account (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal, lines 35-56, wager processor, col. 8 lines 50-67, account processor in communication with wagering processor, col. 9 lines 1-67, wagering and account processor used to process wagers) and processing wagers, including crediting an account.

Regarding Claim 35, Hedrick shows the display is part of television equipment (col. 13 lines 50-65, television tuner).

Regarding Claim 36, Hedrick shows that the second display may be a computer (fig. 5 and 6, col. 8 lines 25-67, CPU controlling first and second displays, col. 11 lines 1-15, system controller integrates functions of conventional PC, col. 13 lines 30-65, accepting conventional television signals through tuner).

Regarding Claim 39, Stronach shows the ability to show wagering options on the display of a remote handheld device (col. 13 lines 66-67, col. 14 lines 1-18, wagering options on the display of a handheld device, col. 16 lines 18-27, using remote handheld screen to view wagering).

Regarding Claims 40-49, 61, 64, 68, 71-75, and 78, the limitations of the claims have been addressed with regards to claims 1-10, 22, 25, 29, 32-36, and 39 respectively.

2. Claims 11-21, 24, 26-28, 30, 31, 50-60, 63, 65-67, 69, and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (6,368,216) in further view of Stronach (6,722,980) and Ellis et al (2004/0117831).

Regarding Claim 11, Hedrick shows providing the user with an option on a first display and the wagering opportunities on a second display (col. 3 lines 10-25, primary

and secondary display, col. 6 lines 7-20, showing control functions of game on display). Both Hedrick and Stronach fail to show displaying the wagering opportunities based on selecting an option. Ellis shows displaying wagering opportunities in response to a selection on a first display (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on, fig. 38, page 17 section 0190, betting on particular game viewed or selected). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the television interactivity and menu options of Ellis so that a user could have a variety of selection means to navigate possible choices.

Regarding Claim 12, since the "first" or "second" display limitations are interchangeable, the limitations of the claim have been discussed with regards to Claim 11.

Regarding Claim 13, Ellis further shows the ability to display contents in an overlay on top of the video in response to a selection (fig. 38, video window smaller than wagering opportunities, fig. 53D, overlay information on channel). All other limitations, including motivation to combine, have been discussed with regards to Claims 11 and 12.

Regarding Claim 14, Ellis further shows the ability to display contents in an overlay on top of the video in response to a selection (fig. 38, video window smaller than wagering opportunities, fig. 53D, overlay information on channel). Hedrick, Stronach, and Ellis fail to show using a wrap-around region to display information. Official Notice is given that it is well known and expected in the art to use a variety of display options in

a menu system, such as wrap around, so that a user can effectively see information. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick, Stronach, and Ellis with the television interactivity and menu options of a wrap around so that a user could have a variety of selection means to navigate possible choices. All other limitations, including motivation to combine, have been discussed with regards to Claims 11 and 12.

Regarding Claim 15, Hedrick shows using a tuner to tune to a television channel (col. 13 lines 50-65, television tuner) and a computer to monitor the interactive wagering opportunities on the second display (col. 8 lines 25-67, wagering display controlled by CPU, col. 9 lines 55-67, graphics controller). Although Hedrick and Stronach show wagering on races, they both fail to specifically show a wagering television channel provided on a set-top box. Ellis shows a wagering television channel provided on a set-top box where a user can wager on horses (page 5 section 0101-0102, set-top box, page 6 section 0111, horse wagering, page 16 section 0189, page 17 sections 0190-0191, wagering on particular sport game). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the television channel wagering system of Ellis so that home users could also place wagers on races.

Regarding Claim 16, Hendrick shows that the video content is television on a display that is being tuned (col. 13 lines 50-65, television tuner), where the second display is included in the equipment (col. 5 lines 58-67, col. 6 lines 1-7, multiple video displays in equipment), and automatically display interactive wagering opportunities on

the other display (col. 6 lines 7-20, showing control functions of game on display). Hendrick and Stronach fail to show allowing the user to tune between different channels and displaying wagering opportunities based on the tuned television channel. Ellis shows allowing the user to tune between channels (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on), displaying the content (fig. 38), and automatically displaying wagering opportunities related to that content (fig. 38, page 17 section 0190, betting on particular game viewed or selected). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the television channel wagering system of Ellis so that home users could also place wagers on races.

Regarding Claim 17, Hendrick shows that although both displays are in the same housing, one is controlled by a television tuner (col. 13 lines 50-65, television tuner) and one is controlled by a computer (col. 8 lines 25-67, wagering display controlled by CPU, col. 9 lines 55-67, graphics controller), which meets the limitation of a first and a second user equipment. Hendrick further shows connecting to a data collection unit via a communications network (col. 9 lines 35-55, communications network connection DCU). Finally, Hendrick shows displaying television channels that are tuned (col. 16 lines 1-18, television programming including horse racing). Stronach shows the ability to show wagering opportunities through a server (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick

with the ability to communicate wagering information to a server, as shown in Stronach, so that the users bets would be properly placed at the race track.

Hendrick and Stronach both fail to show allowing the user to tune different channels. Ellis shows allowing the user to tune between channels (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick and Stronach with the ability to allow a user to change channels so the user had more control over multimedia viewing options.

Regarding Claim 18, Hendrick shows that although both displays are in the same housing, one is controlled by a television tuner (col. 13 lines 50-65, television tuner) and one is controlled by a computer (col. 8 lines 25-67, wagering display controlled by CPU, col. 9 lines 55-67, graphics controller), which meets the limitation of a first and a second user equipment. Hendrick further shows connecting to a data collection unit via a communications network (col. 9 lines 35-55, communications network connection DCU). Finally, Hendrick shows displaying television channels that are tuned (col. 16 lines 1-18, television programming including horse racing). Stronach shows the ability to show wagering opportunities through a server (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal), but both Hendrick and Stronach fail to show that the server is at a television facility and allowing the user to change channels. Ellis shows that a wagering server is at the television facility (page 17 section

0190, bet information transmitted to television distribution facility) and allowing the user to tune between channels (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick and Stronach with the ability to allow a user to change channels so the user had more control over multimedia viewing options.

Regarding Claim 19, Ellis further shows that the television facility could be a message processing facility, which is a transaction processing system (page 17 section 0190, bet information transmitted to message processing facility). Stronach also shows transmitting wagering information to a race providing system and wagering terminal transceiver (col. 4 lines 5-25). All other limitations have been discussed with regards to Claim 18.

Regarding Claim 20, Stronach shows transmitting information of the Internet or web (col. 2 lines 50-65, Internet connection, col. 6 lines 10-20, set up wagering account on Internet). Hendrick and Stronach fail to show the wagering opportunities on top the video overlay. Ellis shows displaying wagering opportunities over the video (fig. 38, video window smaller than wagering opportunities). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick and Stonach with the ability to overlay information so that the user could simultaneously perceive both sets of information at the same time, while focusing on the wagering information.

Regarding Claim 21, Hendrick shows that although both displays are in the same housing, one is controlled by a television tuner (col. 13 lines 50-65, television tuner) and one is controlled by a computer (col. 8 lines 25-67, wagering display controlled by CPU, col. 9 lines 55-67, graphics controller), which meets the limitation of a first and a second user equipment. Stronach shows transmitting information of the Internet or web (col. 2 lines 50-65, Internet connection, col. 6 lines 10-20, set up wagering account on Internet). Stronach shows the ability to show wagering opportunities through a server (col. 4 lines 5-25, wagering terminal transceiver for communicating wagering information to terminal), but both Hendrick and Stronach fail to show that the server is at a television facility, allowing the user to change channels, and launching a browsing display when interactive wagering opportunities are available on the television channel. Ellis shows that a wagering server is at the television facility (page 17 section 0190, bet information transmitted to television distribution facility) and allowing the user to tune between channels (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on). Ellis further shows that a user may tune to a specific television channel, or sporting event, with wagering opportunities and the system provides a browser to allowing wagering (page 16 section 0189, page 17 sections 0190-0191, 0194, fig. 36-37, allowing user to select television channel and view in video window while placing wager on particular game, using Internet to provide various information of the "sports niche hub"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick and Stronach with

the ability to allow a user to change channels, as shown in Ellis, so the user had more control over multimedia viewing options. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hendrick and Stronach with the ability to place wagers through the Internet while relating to a tuned channel, as shown in Ellis, so that the user could watch the pertinent sporting event and have a variety of interactive options.

Regarding Claim 24, Hedrick shows displaying video content on a first display (col. 16 lines 1-18, television programming including horse racing) and synchronizing video content with the wagering opportunities (col. 15 lines 24-30, content displayed is carefully controlled, col. 11 lines 60-67, col. 12 lines 1-67, processor controls both displays and triggering events trigger display). Stronach shows that the wagering information maybe shown on a personal computer (col. 13 lines 66-67, col. 14 lines 1-18, wagering options on the display of a personal computer, col. 16 lines 18-27). Both Hedrick and Stronach fail to specifically state using a set-top box or that the personal computer is connected to the set-top box. Ellis shows using a set-top box that can be connected to a personal computer (page 5 section 0101, set-top box, page 6 section 0108, page 12 section 0151 to page 13 section 0152, personal computer for viewing wagering connected to user equipment, or set-top box). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to connect a set-top box to a PC, as shown in Ellis, so that a user had connectivity to multiple home components in order to enhance the multimedia experience.

Regarding Claim 26, Hedrick shows that the first display is associated with first user equipment (col. 13 lines 50-65, television tuner). Although Stronach shows using a personal computer or handheld device, both he and Hedrick fail to specifically show providing two pieces of user equipment comprising a wireless communications path. Ellis shows connecting multiple user televisions using a wireless communications path (page 19 sections 0208-0211, multiple users televisions connected by wireless links). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to connect multiple televisions wirelessly, as shown in Ellis, so that a user would not be bound by the limitations of wired connections.

Regarding Claim 27, Ellis shows the ability to connect a second display wirelessly (page 19 sections 0208-0211, multiple users televisions connected by wireless links) and providing the displays with wagering opportunities (page 15 sections 0174-0175, displaying certain sports, page 17 section 0190, betting on particular game viewed or selected, fig. 38, ability to change video window, or channel, and select different game to wager on). All other limitations of the claim have been discussed with regards to Claim 26.

Regarding Claim 28, Hedrick and Stronach fail to show connecting multiple displays to a set-top box. Ellis shows connecting multiple displays to a set top box (page 19 sections 0208-0211, multiple users televisions connected by wireless links). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to use multiple displays connected to a set-

top box, as shown in Ellis, so that the system could interactively communicate with all information received by the set-top box.

Regarding Claim 30, Hedrick shows that the first display is a television and contains a processor (fig. 5 and 6, col. 8 lines 25-67, CPU controlling display, col. 11 lines 1-15, system controller integrates functions of conventional PC, col. 13 lines 30-65, accepting conventional television signals through tuner). Hedrick further shows that the second display may be a computer connected to the television (fig. 5 and 6, col. 8 lines 25-67, CPU controlling first and second displays, col. 11 lines 1-15, system controller integrates functions of conventional PC, col. 13 lines 30-65, accepting conventional television signals through tuner). Both Hedrick and Stronach fail to show connecting multiple displays with FireWire. Ellis shows using FireWire to connect multiple displays (page 19 section 0208, televisions connected with FireWire paths). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to use multiple displays connected using FireWire, as shown in Ellis, so that the system could interactively communicate at a high data rate.

Regarding Claim 31, Hedrick and Stronach fail to show setup options for the user to adjust the number of displays that are used. Ellis shows setup options for adjusting the number of displays that can be used (page 19 section 0208, controlling programming options between multiple television sets).

Regarding Claims 50-60, 63, 65-67, 69, and 70, the limitations of the claims have been discussed with regards to claims 11-21, 24, 26-28, 30, and 31, respectively.

3. Claims 23, 37, 38, 62, 76 and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (6,368,216) in further view of Stronach (6,722,980) and Molnick (5,800,268).

Regarding Claim 23, Hedrick shows that one display is part of a television (col. 13 lines 50-65, television tuner). Stronach further shows the interactive betting opportunities may be placed using a cellular phone (col. 22 lines 25-35, computer may be integrated into cellular telephone). Although suggested by using a cellular phone in Stronach, neither Hedrick nor Stronach specifically state using the display of a telephone for placing the wager. Molnick shows using the display of a video-phone to place wagers at a casino (col. 1 lines 50-60, video phone with keypad). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to use the display of a phone to place a wager, as shown in Molnick, so that the user could conveniently place wagers through a visual interface while having mobile connectivity.

Regarding Claim 37 and 38, Stronach further shows the interactive betting opportunities may be placed using a cellular phone (col. 22 lines 25-35, computer may be integrated into cellular telephone). Although suggested by using a cellular phone in Stronach, neither Hedrick nor Stronach specifically state using the display of a telephone for placing the wager. Molnick shows using the display of a video-phone to place wagers at a casino (col. 1 lines 50-60, video phone with keypad). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hedrick and Stronach with the ability to use the display of a phone to place a wager, as

shown in Molnick, so that the user could conveniently place wagers through a visual interface while having mobile connectivity.

Regarding Claims 62, 76, and 77, the limitations of the claims have been discussed with regards to claims 23, 37, and 38 respectively.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Olsen U.S. Patent No. 6,210,275 discloses a progressive jackpot game with guaranteed winner.

Suzuki U.S. Patent No. Re. 35,819 discloses a simulated visual display system for a game device.

Prather et al. U.S. Patent No. 5,823,872 discloses a simulated racing game.

Brenner et al. U.S. Patent Application Publication No. 2003/0144057 discloses an interactive wagering system and process.

Algie U.S. Patent No. 5,564,977 discloses integrated racetrack display system including display of periodic parimutual data.

Dettor U.S. Patent No. 5,564,701 discloses a casino oriented gaming apparatus and method incorporating randomly generated numbers.

Sekimoto et al U.S. Patent No. 6,407,776 discloses broadcasting program displaying system and program displaying device for receiving and displaying a program video and property information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Nalevanko whose telephone number is 571-272-7299. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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CHRIS GRANT
PRIMARY EXAMINER